

G. GEOFFREY ROBB (131515)
ROXANNE CHESTER (206794)
GIBSON ROBB & LINDH LLP
100 First Street, 27th Floor
San Francisco, California 94105
Telephone: (415) 348-6000
Facsimile: (415) 348-6001

Attorneys for Plaintiffs
GE Medical Systems Information Technologies, Inc. and
GE Medical Systems España S.A.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GE MEDICAL SYSTEMS
INFORMATION TECHNOLOGIES, INC.,
a corporation; and GE MEDICAL
SYSTEMS ESPAÑA S.A., a foreign
corporation;

Plaintiffs,

v.

EMERY AIR FREIGHT CORPORATION,
a corporation; AIR FRANCE, an entity of
unknown form;

Defendants.

Case No.: CV 05-01359 CRB
[E-FILING]

**REQUEST FOR CONDITIONAL
DISMISSAL WITH PREJUDICE AND
~~PROPOSED~~ ORDER**

Plaintiffs' counsel is pleased to report that this case is settled. All that remains to be done is the exchange of releases and settlement funds. Accordingly, plaintiffs request that this action be dismissed with prejudice, provided however that if within 90 days of the entry of this order any party files notice with the Court and serves such notice on the opposing parties that the terms of this settlement have not been met, that this case will be restored to the Court's trial calendar.

Dated: April 22, 2005

Respectfully submitted,

GIBSON ROBB & LINDH LLP

By: S/ ROXANNE CHESTER


Attorneys for plaintiffs GE MEDICAL
SYSTEMS INFORMATION
TECHNOLOGIES, INC., and GE MEDICAL
SYSTEMS ESPAÑA S.A.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: April 25, 2005

United States District Judge



PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO

I am employed in the City and County of San Francisco by the law firm of GIBSON ROBB & LINDH LLP, 100 First Street, 27th Floor, San Francisco, California 94105. I am over the age of 18 years and not a party to the within action. I am readily familiar with the practice of GIBSON ROBB & LINDH LLP with respect to the collection and processing of pleadings, discovery documents, motions and all other documents which must be served upon opposing parties or other counsel in litigation. The below-described document(s) will be deposited in the ordinary course of the business of GIBSON ROBB & LINDH LLP with the United States Postal Service on the same date as I sign this document. On April 22, 2005, I served the within **REQUEST FOR CONDITIONAL DISMISSAL WITH PREJUDICE AND [PROPOSED] ORDER** in said action by placing a true copy thereof enclosed in a sealed envelope with first class postage thereon fully prepaid addressed as follows:

Danuta Szewczyk
Air France
Building 558
Shoreham Road West
Heathrow Airport
Hounslow Middlesex TW6 3RN
ENGLAND

Howard Scales
Air France
5621 W. Imperial Hwy.
Los Angeles, CA 90045

Following the ordinary business practices of GIBSON ROBB & LINDH LLP, I placed the aforesaid envelope in the place for collection and mailing on the date specified.

Pursuant to the Local Rules of the United States District Court, I certify that all originals and service copies (including exhibits) of the papers referred to herein were produced and reproduced on paper purchased as recycled, as defined by Section 42202 of the Public Resources Code.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 22, 2005, at San Francisco, California.

*S/ SHAUN ALICYN SMITH
Shaun Alicyn Smith

* Original signature on file.